

753–9517. Alternatively, you may submit your comment by e-mail, to [KentHCP.nwr@noaa.gov](mailto:KentHCP.nwr@noaa.gov). In the subject line of the e-mail include the identifier “City of Kent, Clark Springs Water Supply HCP EIS.” Comments and materials we receive will be available for public inspection, by appointment, during normal business hours at the above addresses. To review the DEIS, the proposed Plan, and the proposed IA, see “Document Availability” under **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Tim Romanski, U.S. Fish and Wildlife Service, 510 Desmond Drive SE, Suite 102, Lacey, WA 98503, facsimile (360) 753–9518; or John Stadler, National Marine Fisheries Service, 510 Desmond Drive SE, Suite 103, Lacey, WA 98503, facsimile (360) 753–9517.

#### **SUPPLEMENTARY INFORMATION:**

##### **Statutory Authority**

Section 9 of the ESA and its implementing Federal regulations prohibit the “taking” of a species listed as endangered or threatened. The term take is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill trap, capture, or collect, or to attempt to engage in any such conduct. Harm is defined to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering. Harass is defined as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns including breeding, feeding, and sheltering.

We may issue permits, under limited circumstances, to allow the take of listed species incidental to, and not the purpose of, otherwise lawful activities. U.S. Fish and Wildlife Service regulations governing permits for endangered species are in 50 CFR 17.22 and regulations governing permits for threatened species are in 50 CFR 17.32. National Marine Fisheries Service regulations governing permits for threatened and endangered species are at 50 CFR 222.307.

##### **Background**

The Permit applications are related to the operation and maintenance of Kent’s Clark Springs Water Supply System adjacent to Rock Creek, King County, Washington. The Clark Springs Water Supply System consists of a spring-fed infiltration gallery and three well pumps. This facility is located adjacent

to Rock Creek 1.8 miles upstream of the creek’s confluence with the Cedar River. The facility is surrounded by 320 acres of Kent-owned land that is geographically separated from the City of Kent. Covered activities can be summarized as follows:

- Diversions of ground and surface water under Kent’s existing water rights via infiltration gallery, well pumps, and infrastructure;
- Operation and maintenance of Clark Springs Water Supply facilities;
- Maintenance of 320 acres of Kent-owned property as it relates to the protection of its water supply; and
- Operation and maintenance of a water augmentation system for the enhancement of instream flows.

The Permit applications Kent submitted to the Services address the potential take of three ESA-listed threatened species and six unlisted species that may be affected by Kent’s water withdrawal activities at the Clark Springs facility in the Rock Creek Watershed. The listed species under FWS jurisdiction is the bull trout (*Salvelinus confluentus*), listed as threatened. Unlisted species under FWS jurisdiction include coastal cutthroat trout (*Oncorhynchus clarki clarki*), Pacific lamprey (*Lampetra tridentatus*), and river lamprey (*L. ayresi*). Listed species under NMFS jurisdiction are the Puget Sound Chinook salmon (*O. tshawytscha*) and Puget Sound steelhead trout (*O. mykiss*), both listed as threatened. Unlisted species under NMFS jurisdiction include coho salmon (*O. kisutch*), chum salmon (*O. keta*), and sockeye salmon (*O. nerka*).

We formally initiated an environmental review of the project through publication of a Notice of Intent to prepare an Environmental Impact Statement in the **Federal Register** on June 19, 2006 (71 FR 35286). That notice also announced a public scoping period during which interested parties were invited to provide written comments expressing their issues or concerns relating to the proposal, and to attend a public scoping meeting held in Kent, Washington.

Based on public scoping comments, we prepared a DEIS to analyze the effects of alternatives on the human environment. Alternative 2 in the DEIS is described as implementation of Kent’s Plan, FWS issuance of a Permit for bull trout and other unlisted species, and NMFS issuance of a Permit for Chinook salmon, steelhead trout, and other unlisted species should they become listed in the future. The other alternative analyzed in the DEIS was Alternative 1, No-Action, under which Kent would continue operating the

Clark Springs facility without benefit of incidental take coverage from the Services.

We provide this notice under ESA and NEPA regulations. We will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the ESA and NEPA. We will then prepare the Final Environmental Impact Statement (FEIS). Our decisions of whether to issue incidental take permits on the application will be made upon completion of the FEIS and the ESA determination.

##### **Document Availability**

The documents are available electronically on the World Wide Web at <http://www.nwr.noaa.gov/Salmon-Habitat/Habitat-Conservation-Plans/HCPs-in-Process.cfm>.

Documents are also available at the following public locations:

- Covington Library, 27100 164th Ave. SE, Covington, WA 98042;
- Maple Valley Library, 21844 SE 248th Street, Maple Valley, WA 98038–8582; and
- Kent Library, 212 2nd Avenue North Kent, WA 98032.
- City of Kent Engineering Counter, Centennial Center, Engineering 2nd Floor, 400 West Gowe Street, Kent, WA 98032.

Dated: April 19, 2010.

##### **Angela Somma,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

Dated: April 19, 2010.

##### **Carolyn A. Bohan,**

*Acting Deputy Regional Director, U.S. Fish and Wildlife Service, Region 1, Portland, Oregon.*

[FR Doc. 2010–9507 Filed 4–22–10; 8:45 am]

**BILLING CODES 4310–55–S; 3510–22–S**

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

**[LLORV0000–L1020000.DD0000; HAG 10–230]**

#### **Notice of Meeting, Southeast Oregon Resource Advisory Council**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Public Meeting.

**SUMMARY:** Pursuant to the Federal Land Policy and Management Act and the Federal Advisory Committee Act, the U.S. Department of the Interior, Bureau of Land Management (BLM) Southeast

Oregon Resource Advisory Council (SEORAC) will meet as indicated below:

**DATES:** The meeting will begin at 7 p.m. (Pacific Daylight Time) on May 6, 2010.

**ADDRESSES:** The SEORAC will meet by teleconference. For a copy of material to be discussed or the conference call number, please contact the BLM Vale District; information below.

**FOR FURTHER INFORMATION CONTACT:** Mark Wilkening, Public Affairs Officer, BLM Vale District Office, 100 Oregon Street, Vale, Oregon 97918, or by telephone at (541) 473-6218.

**SUPPLEMENTARY INFORMATION:** The SEORAC will conduct a public meeting by teleconference to discuss and come to consensus on contents of a letter to be sent to the Oregon/Washington BLM State Director on the Final Environmental Impact Statement for Vegetation Treatments Using Herbicides on BLM Lands in Oregon. The conference call meeting is open for the public to access by telephone. Public comment is scheduled from 7:45 to 8 p.m. (Pacific Daylight Time) May 6, 2010. For a copy of the information distributed to the SEORAC members please contact Mark Wilkening, Public Affairs Officer, BLM Vale District Office, 100 Oregon Street, Vale, Oregon 97918, or by telephone at (541) 473-6218.

Larry Frazier,

Acting District Manager, Vale District Office.

[FR Doc. 2010-9430 Filed 4-22-10; 8:45 am]

**BILLING CODE 4310-33-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-130 (Third Review)]

### Chloropicrin From China

#### Determination

On the basis of the record<sup>1</sup> developed in the subject five-year review, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty order on chloropicrin from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

#### Background

The Commission instituted this review on July 1, 2009 (74 FR 31760)

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

and determined on October 15, 2009 that it would conduct a full review (74 FR 55065, October 26, 2009). Notice of the scheduling of the Commission's review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on October 15, 2009 (74 FR 55065). Counsel for the three domestic producers of chloropicrin offered to submit written testimony in lieu of an oral hearing presentation. In connection with the offer of written testimony, counsel indicated a willingness to respond to written questions of the Commissioners by a date to be set by the Commission. No other party filed a request to appear at the hearing. Consequently, the public hearing in connection with the review, scheduled to begin at 9:30 a.m. on February 18, 2010, at the U.S. International Trade Commission Building was cancelled.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on April 19, 2010. The views of the Commission are contained in USITC Publication 4142 (April 2010), entitled *Chloropicrin from China: Investigation No. 731-TA-130 (Third Review)*.

By order of the Commission.

Issued: April 19, 2010.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 2010-9403 Filed 4-22-10; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-468 and 731-TA-1166-1167 (Final)]

### Certain Magnesia Carbon Bricks From China and Mexico

**AGENCY:** United States International Trade Commission.

**ACTION:** Scheduling of the final phase of a countervailing duty investigation and antidumping investigations.

**SUMMARY:** The Commission hereby gives notice of the scheduling of the final phase of a countervailing duty investigation No. 701-TA-468 (Final) and antidumping investigation Nos. 731-TA-1166-1167 (Final) under sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)) (the Act) to determine whether an industry in the United States is materially injured or

threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of subsidized imports from China or less-than-fair-value imports from China or Mexico of certain magnesia carbon bricks, provided for in subheadings 6902.10.10, 6902.10.50, 6815.91.00, and 6815.99.00 of the Harmonized Tariff Schedule of the United States.<sup>1</sup>

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**DATES:** *Effective Date:* March 12, 2010.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Haines (202-205-3200), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

#### SUPPLEMENTARY INFORMATION:

*Background.*—The final phase of these investigations is being scheduled as a result of a negative preliminary determination by the Department of Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in China of certain magnesia carbon bricks, and affirmative preliminary determinations that imports of certain

<sup>1</sup> For purposes of these investigations, the Department of Commerce has defined the subject merchandise as "certain chemically bonded (resin or pitch), magnesia carbon bricks with a magnesia component of at least 70 percent magnesia ("MgO") by weight, regardless of the source of raw materials for the MgO, with carbon levels ranging from trace amounts to 30 percent by weight, regardless of enhancements, (for example, magnesia carbon bricks can be enhanced with coating, grinding, tar impregnation or coking, high temperature heat treatments, anti-slip treatments or metal casing) and regardless of whether or not antioxidants are present (for example, antioxidants can be added to the mix from trace amounts to 15 percent by weight as various metals, metal alloys, and metal carbides)."